

JAN. 17. 2007 10:41AM

CHOATE HALL & STEWART 6172484000

NO. 704 P. 2

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CENTRAL FAX CENTERATTORNEY'S DOCKET NUMBER: 2006691-0002
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 17 2007

Applicant: Brisson, *et al.* Examiner: Not yet assigned
 Serial No.: 10/561,053 Art Unit: 1632
 Filing Date: December 16, 2005 Conf. No: 9433
 Title: PLANT TRANSCRIPTIONAL ACTIVATOR AND USES THEREOF

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

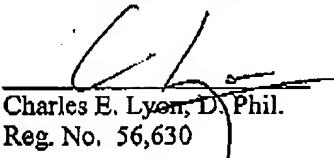
Certificate of Facsimile Transmission
 Pursuant to 1096 OG 30-31
 I hereby certify that this correspondence is being facsimile transmitted to the US
 Patent & Trademark Office (571) 273-8300 on the date indicated below.
January 17, 2007 
 Date _____ Signature _____
Mary B. Harrington
 Typed or Printed Name of person signing certificate

SUBMISSION TO REPAY ERRONEOUS PTO REFUND

Applicants respectfully submit this paper to repay an amount of \$65 that was erroneously refunded to Applicant's credit card on November 7, 2006. This refund corresponds to half of the late declaration fee for a large entity (\$130) and was presumably made by the PTO because they thought the case was entitled to Small Entity status. As noted in the Response to Notice to File Missing Parts that was filed on June 22, 2006 and again in the Submission to Correct Entity Status that was filed on December 15, 2006, this case is a Large Entity case.

Although we believe that we have now appropriately paid all fees due in connection with this application, the Commissioner is authorized to charge or refund any additional fees associated with this application, to our Deposit Account No. 03-1721. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 248-4793.

Respectfully Submitted,
 CHOATE, HALL & STEWART LLP


 Charles E. Lyon, D. Phil.
 Reg. No. 56,630

Date: January 17, 2007

PATENT DEPARTMENT
 CHOATE, HALL & STEWART LLP
 Two International Place
 Boston, Massachusetts 02110

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U.S.S.N: 10/561,053
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Date	January 17, 2007	Client Number	2006691-0002
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Comments

ATTORNEY DOCKET No.: 2006691-0002

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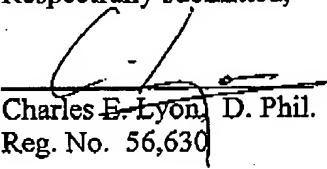
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Filed: December 16, 2005
For: PLANT TRANSCRIPTIONAL ACTIVATOR AND USES THEREOF

Enclosed for filing in the above-referenced patent application, please find the following documents:

1. Submission to Repay Erroneous PTO Refund (1 pg);
2. Credit Card Payment Form in the amount of \$65.00 (1 pg); and
3. This Facsimile Cover Sheet (1 pg).

Please charge any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,


Charles E. Lyon, D. Phil.
Reg. No. 56,630

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